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Amendment
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28. The method of claim 16 wherein said lifting and transporting step includes grasping each of said containers by said vehicle, and wherein the method further includes the step of releasing said containers after said positioning step.

Remarks

Claims 21, 23 and 24 have been amended, claim 20 has been canceled and new claims 25-28 have been added. Review and reconsideration of the application is requested.

Claims 20, 21, 23 and 24 are rejected as being indefinite. Accordingly, claim 20 has been canceled and substantially recast as new independent claim 25 such that the preamble of claim 25 corresponds to the claimed method. The dependency of claim 21 has been changed such that it now depends from new claim 25. The preamble of claim 24 has been amended such that the preamble corresponds to the claimed method. Claim 23 has been amended in the manner suggested in the Office action.

Claims 16, 22 and 23 are rejected as being anticipated by Japanese Application No. 5-338816 to Ikuta. This rejection is respectfully traversed. Claim 16 includes the step of "lifting and transporting said containers by means of a vehicle over a ramp." Thus claim 16 requires that the containers be lifted and transported by means of a vehicle. In contrast, the containers of the Ikuta reference are not lifted by the pallet. Instead, the containers must be loaded onto the pallet by another device, and the pallets are then rolled onto the deck of the marine vessel.

Furthermore, claim 16 includes the steps of "positioning said containers at desired locations on said deck by means of said vehicle for transportation" and "securing said container to said deck at said locations". However, the Ikuta reference does not disclose these claimed steps. Instead, in the Ikuta reference the pallet itself is secured to the deck, and the containers are not positioned on, or secured to, the deck. Thus, it is respectfully requested that the anticipation rejection of claim 16 be withdrawn.

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Similarly, claim 22 includes the steps of "lifting and transporting said containers by means of a vehicle" and "placing said containers...on an associated dock by said vehicle." It is submitted that the Ikuta reference does disclose the lifting and transporting of containers by a vehicle, nor does it show the placing of containers on an associated dock. Therefore it is requested that the anticipation rejection of claim 22, and well as claim 23 depending therefrom, be withdrawn.

New independent claim 25 includes the steps of lifting a container by means of a vehicle, causing the vehicle to travel over a ramp to a storage deck of a marine vessel, positioning the container at a desired location on said deck by means of the vehicle, and repeating the lifting, causing and positioning steps for each container to be loaded. At least the lifting, positioning, and repeating steps are not shown in the Ikuta reference. Dependent claims 26-28, which further distinguish the claimed invention over the Ikuta reference, have also been added.

Claims 16, 22 and 23 are also rejected as defining obvious subject matter over Ikuta in light of U.S. Pat. No. 4,325,667 to Freeman. This rejection is respectfully traversed, as it is not understood how the cited references can be combined to arrive at the claimed invention. At column 2, lines 12-15 of the Freeman reference, it is noted that the freight units disclosed in that reference usually consist of palletized freight such as palletized sugar in bagged or boxed condition. Thus, the freight units transported by the loading trucks are not "containers". If any element in the Freeman reference must be analogized to the containers of the present invention, it would be the railroad boxcars of the Freeman reference.

The Ikuta reference discloses a method for loading containers onto a pallet and then propelling the pallet onto a barge. In contrast, the Freeman reference discloses rolling containers (i.e. railroad boxcars) onto a barge, and then filling the containers with freight units with a loading truck. Thus, these references disclose two mutually exclusive methods of loading containers, and it is not understood how the different loading methods of the references can be combined.

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The Ikuta reference and the Freeman reference disclose different steps and different methods of operation for loading a barge, and do not appear to be combinable in the manner suggested in the Office action. Accordingly, it is requested that the rejection of claims 16, 22 and 23 as defining obvious subject matter over Ikuta in light of Freeman be withdrawn.

Claims 17-19 are rejected as defining obvious subject matter over the Ikuta reference in light of U.S. Pat. No. 3,691,595 to Backteman et al. Without conceding that the appropriateness of the rejections of claims 17 and 19, the rejection of claim 18 is specifically addressed herein. It is asserted that the references are not combinable to teach the claimed subject matter of claim 18 as suggested in the Office action. As noted earlier, in the Ikuta reference the containers are stacked onto the pallet before the pallet is loaded onto the barge. Thus, if combinable at all, the combination of the Ikuta and Backteman references would teach arranging vertical stacks on a pallet of the Ikuta reference before the pallet is loaded onto a barge. In contrast, claim 18 includes the step of arranging containers in vertical stacks on the deck. Because the cited references do not teach or suggest the arranging of containers in vertical stacks on the deck of a marine vessel, it is requested that the rejection of claim 18 be withdrawn.

Claim 24 is rejected as defining obvious subject matter over Ikuta in view of U.S. Pat. No. 3,691,595 to Backteman et al. and Australia Patent No. 142,974 to Slater. This rejection is respectfully traversed. As noted earlier, the Ikuta reference discloses a pallet that is loaded with containers, and the pallet is then wheeled onto the barge. Backteman is cited as showing twist locks, and Slater is cited as showing a reach stacker. However, the combination of the cited references does not teach the subject matter of claim 24. As noted above, the Ikuta reference teaches the loading and securing on containers on a pallet. Therefore, if combinable at all, the combination of the references teaches the use of a vehicle and twistlocks to load and secure containers on a pallet, and then wheeling the pallet onto a barge. In contrast, claim 24 includes the steps of lifting and transporting container by means of a vehicle, positioning the containers at vertical stacks on the deck by means of the vehicle, and securing the containers to the deck.

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These claim limitations are not shown in the combination of references as proposed in the Office action.

Furthermore, the assertion in the Office action that the Slater reference discloses the use of a reach stacker vehicle is traversed. The Slater reference discloses a motor driven trolley or transporter that appears to be a standard fork lift, which differs from the reach stacker of claim 24. Furthermore, it is asserted that the Slater reference cannot be combined with the Ikuta reference in the proposed manner. The pallets of the Ikuta reference are self propelled, and therefore do not require a motor driven trolley to transport the pallets. Accordingly, it is requested that the rejection of claim 24 be withdrawn.

Finally, it is noted that the PTO Form 892 (Notice of References Cited) refers to the Slater reference as Great Britain Patent No. 142,974, whereas the Slater reference is in fact Australia Patent No. 142,974. It is requested that a substitute Form 892 that correctly identifies the Slater reference be issued.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or to credit any overpayment to Deposit Account 20-0809.

In view of the foregoing amendments and arguments, the application appears to be in a condition for allowance, and a formal notice thereof is requested.

Respectfully submitted,



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Date: April 4, 2000